



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)
Michael F. Morganelli et al.)
Serial No.: 09/483,759)
Filed: January 14, 2000)
For: Method and Apparatus for De-)
tecting and Resolving Circular)
Flow Paths in Graphical Pro-)
gramming Systems)

Examiner: not yet assigned

Art Unit: 2763

RECEIVED
AUG 25 2000

OFFICE OF PETITIONS

Cesari and McKenna, LLP
30 Rowes Wharf
Boston, MA 02110
July 17, 2000

“Express Mail” Mailing-Label Number:

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

DECLARATION IN SUPPORT OF 37 CFR 1.47(a) PETITION

I, Thomas K. Zebrowski, hereby declare as follows:

1. I am over the age of twenty-one years and competent to testify to the facts stated herein from first hand knowledge of the same.
2. I am counsel to Measurement Computing Corporation, successor in name to Computer Boards, Inc. which is the applicant in the above-referenced patent application.
3. As set forth herein, Gerard Reilly, a co-inventor on this patent application, refuses to sign the Declaration and Assignment, despite being provided with the application papers and being requested to review and sign those papers.

4. Mr. Reilly is being represented by Michael W. Reilly, Esq. I contacted Attorney Michael Reilly by phone on June 22, 2000. During that call, I informed Attorney Michael Reilly that his client, Gerard Reilly, was a co-inventor on three patent applications that were filed on behalf of Computer Boards, Inc. (now Measurement Computing Corporation), including the above-referenced patent application, and that his signature to a Declaration and to an Assignment was requested.

5. On June 22, 2000, I also faxed Attorney Michael Reilly a letter enclosing the Declaration and Assignment papers to be signed by Gerard Reilly. A true and correct copy of that letter is attached hereto as Exhibit A.

6. Neither Attorney Michael Reilly nor Gerard Reilly responded to my letter of June 22, 2000.

7. Gerard Reilly's last known address is:

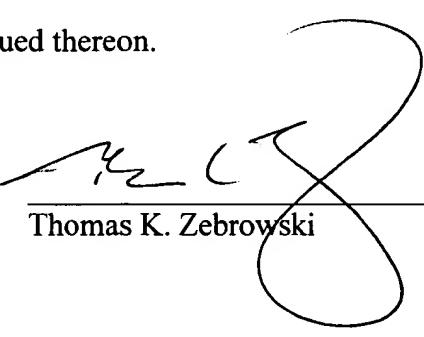
Gerard Reilly
10 Vogle Street
West Roxbury, MA 02132

8. On July 18, 2000, I sent the application papers for the three patent applications, including the above-referenced patent application, to Gerard Reilly's last known address as set forth above. In the letter, I requested Gerard Reilly to review the enclosed materials, sign the Declaration and Assignment forms and return all of the documents, including the executed Declaration and Assignment forms, to me. A copy of the letter was also sent to Attorney Michael Reilly. A true and correct copy of my July 18, 2000 letter is attached hereto as Exhibit B.

9. I have received no response from Gerard Reilly or his attorney Michael Reilly.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: July 26, 2000



Thomas K. Zebrowski